

EXHIBIT A

Flanigan, Joanna

From: Flanigan, Joanna
Sent: Tuesday, June 22, 2021 10:49 AM
To: Flanigan, Joanna
Subject: FW: Kirtley v. Arby's

From: Tim Klisz <tim@kliszlaw.com>
Sent: Monday, June 21, 2021 9:22 AM
To: Palmer, Andrew <apalmer@fbtlaw.com>
Subject: Re: Kirtley v. Arby's

Andrew- yes, she will not agree to cap damages at \$75,000. Thanks, Tim

Timothy J. Klisz
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On Jun 21, 2021, at 8:25 AM, Palmer, Andrew <apalmer@fbtlaw.com> wrote:

Tim,

Following up on the below to make sure there is no ambiguity regarding federal court jurisdiction, is it correct to say that your client is seeking more than \$75,000 in this matter, and that she will not sign a stipulation that damages do not exceed \$75,000?

Thanks,

Andrew

Andrew Palmer

Attorney at Law | **Frost Brown Todd LLC**

502.779.8403 Direct
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apalmer@fbtlaw.com

From: Tim Klisz <tim@kliszlaw.com>
Sent: Monday, June 14, 2021 3:01 PM
To: Palmer, Andrew <apalmer@fbtlaw.com>
Subject: Re: Kirtley v. Arby's

Andrew- I have not discussed it at length yet, but I will say yes, the case value exceeds \$75000. Thanks, Tim

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On Jun 14, 2021, at 2:38 PM, Palmer, Andrew <apalmer@fbtlaw.com> wrote:

Tim,

I don't think it is in the record yet that the amount in controversy exceeds \$75,000, as required for federal diversity jurisdiction. I assume based on our conversations that your client is seeking more than 75k?

Thanks,

Andrew

Andrew Palmer
Attorney at Law | **Frost Brown Todd LLC**

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From: Tim Klisz <tim@kliszlaw.com>
Sent: Wednesday, June 9, 2021 11:40 AM
To: Palmer, Andrew <apalmer@fbtlaw.com>
Subject: Re: Kirtley v. Arby's

Andrew- thanks for the update. I'm working on getting all the lien info together and all the relevant medicals. After then I'll be in a position to talk.
I do recall the removal talk. Understood and thanks for the heads up. Thanks, Tim

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On Jun 9, 2021, at 11:23 AM, Palmer, Andrew <apalmer@fbtlaw.com> wrote:

Sure. We will sign and send over to you.

Following up on a couple other things, are you planning on preparing and sending a demand?

Also, when we spoke I mentioned that Sybra was considering removal to federal court. I'll let you know if they go that route so it isn't a surprise if you get the pleadings.

Thanks,

Andrew

Andrew Palmer
Attorney at Law | **Frost Brown Todd LLC**

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apalmer@fbtlaw.com

From: Tim Klisz <tim@kliszlaw.com>
Sent: Tuesday, June 8, 2021 11:37 AM
To: Palmer, Andrew <apalmer@fbtlaw.com>
Subject: Re: Kirtley v. Arby's

Andrew- I have finally gotten the Order, Amended Complaint and new Summons issued. You mentioned you would accept service for SYBRA. The new Summons, Order, and Amended Complaint are attached. If you could sign the acknowledgement and scan it back to me, I'll file my Proof and we'll be all set. Thanks! Tim

Timothy J. Klisz
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On 5/12/2021 1:11 PM, Palmer, Andrew wrote:

Tim,

It was a pleasure speaking with you a earlier today. Per our conversation, attached is the lease showing that Sybra, LLC ("Sybra") leased the store and is the entity which operates the subject restaurant. Sybra is the correct party. I have marked the lease as confidential.

It is my understanding that you are going to amend the complaint to add Sybra as the correct defendant and will voluntarily dismiss the other entities pursuant to Rule 41. I will accept service for Sybra.

Please let me know if this is correct. If you need additional information beyond the lease, please let me know.

Thanks, and I look forward to working with you.

Andrew

Andrew Palmer
Attorney at Law

<image001.jpg>

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<image002.jpg>

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<image004.jpg>

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